

From: Scott Seshier
To: Microsoft ATR
Date: 1/23/02 1:02pm
Subject: Microsoft Settlement

Rather than go into the painful detail on every point where this proposed settlement falls short of protecting U.S. citizens from Microsoft's monopoly, I will instead focus on the one thing strangely absent from the proposed settlement.

Microsoft has been found to have abused its monopoly power, hurting consumers, other businesses and open source developers. Yet there seems to be no real punitive measure in this proposed settlement.

If I were to have been found guilty of a crime I would not expect the judge at sentencing to say only "Don't do it again, we will be watching you."
(Though in Microsoft's case this seems to be "Don't do it again, you will be paying people to watch you, who can't say whether your naughty or nice).
I would expect some punitive action. That seems to be missing here.

Microsoft has made billions by exploiting its monopoly position and this proposed settlement seems to have no problem with them keeping it. Most bank robbers don't get to keep their loot, why should monopolist?

Without the addition of some substantive punitive action, this proposed settlement rewards Microsoft's previous misdeeds.

Let me just add one thing further. Not to long ago the Justice Department seemed to have Microsoft on its knees, from the terms of this proposed settlement things seem to be the other way round now. Any speculation as to how this could come about in such a short time, and whether any laws were broken, is left to the reader as an exercise.

Thanks you for your time and consideration,

Scott Seshier
703 S. Sunset Lane
Raymore MO 64083